



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 23285

PERMIT 16001

LICENSE 10556
(over)

THIS IS TO CERTIFY, That

RUDOLF GILLARD, DENNIS KINSER, JERRY SCHROEDER AND
KENNETH DUNAWAY

C/O RUDOLF GILLARD,

P. O. BOX 605, FORTUNA, CALIFORNIA 95540

HAVE made proof as of JUNE 7, 1974 (the date of inspection)

to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
BIRDIE M CREEK IN TRINITY COUNTY

tributary to NEW RIVER THENCE TRINITY RIVER

for the purpose of DOMESTIC USE

under Permit 16001 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from MAY 23, 1969 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed TWENTY-SIX THOUSANDTHS (0.026) CUBIC FOOT PER SECOND,

TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. SO LONG AS THERE
IS NO INTERFERENCE WITH OTHER RIGHTS, JUNIOR, AS WELL AS SENIOR, LICENSEE
MAY INCREASE HIS RATE OF DIVERSION TO A MAXIMUM OF 0.055 CUBIC FOOT PER
SECOND, PROVIDED THAT THE TOTAL QUANTITY DIVERTED IN ANY 7-DAY PERIOD
DOES NOT EXCEED 0.36 ACRE-Feet. THE MAXIMUM AMOUNT DIVERTED UNDER THIS
LICENSE SHALL NOT EXCEED 8.5 ACRE-Feet PER YEAR.

THE POINT OF DIVERSION OF SUCH WATER LOCATED:

SOUTH 1000 FEET AND EAST 700 FEET FROM CENTER OF PROJECTED SECTION 33, T7N,
R7E, HB&M, BEING WITHIN NW1/4 OF SE1/4 OF SAID SECTION 33.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WITHIN NE1/4 OF SW1/4 OF PROJECTED SECTION 33, T7N, R7E, HB&M.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION
BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND
AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY

UPON A JUDICIAL DETERMINATION THAT THE PLACE OF USE UNDER THIS LICENSE OR A PORTION THEREOF IS ENTITLED TO THE USE OF WATER BY RIPARIAN RIGHT, THE RIGHT SO DETERMINED AND THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL NOT RESULT IN A COMBINED RIGHT TO THE USE OF WATER IN EXCESS OF THAT WHICH COULD BE CLAIMED UNDER THE LARGER OF THE TWO RIGHTS.

11/3/97 assigned to Rudolf Gillard

7/12/99 ASGD TO RUDOLF GILLARD, JENNY GILLARD, JIM ANDERSON, JUDY ANDERSON, BARBARA ANDERSON, DON BAIRD, JUDITH BAIRD, JOHN MOGEL, DIANA MOGEL, GALAN MARTIN, JANINE MARTIN, PHIL OLKIN, JANICE OLKIN

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting